

Morgan Lewis

Susan F. DiCicco

Partner

+1.212.309.6640

susan.dicicco@morganlewis.com

August 5, 2022

VIA ECF

Hon. Frederic Block, District Court Judge
United States District Court, E.D.N.Y.
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *In re Infinity Q Diversified Alpha Fund and Infinity Q Volatility Alpha Fund, L.P.*
Securities Litigation, Case No. 1:21-cv-1047-FB-MMH

Dear Judge Block:

We represent defendants Trust for Advised Portfolios and its officers Christopher E. Kashmerick, Russell B. Simon, and Steven J. Jensen in the above-referenced action. We write jointly on behalf of Lead Plaintiff and the defendants identified below (the “Settling Defendants”) to advise the Court that an agreement in principle has been reached between plaintiffs and the Settling Defendants in this action and the related case pending in New York Supreme Court. *See In re Infinity Q Div. Alpha Fund Secs. Litig.*, No. 651295/2021 (N.Y. Sup. Ct., Comm. Div. filed Feb. 24, 2021). Specifically, the following defendants have reached a settlement in principle with plaintiffs in this action and the related state court action: Trust for Advised Portfolios, including Infinity Q Diversified Alpha Fund, Christopher E. Kashmerick, John C. Chrystal, Albert J. DiUlio, S.J., Harry E. Resis, Russell B. Simon, and Steven J. Jensen, Quasar Distributors LLC, U.S. Bancorp Fund Services, LLC; and EisnerAmper LLP.¹

Accordingly, in lieu of the Settling Defendants submitting the pre-motion letter for their respective motions to dismiss (currently due today), the Settling Defendants and Lead Plaintiff respectfully request that the Court stay all deadlines in this case with respect to the Settling Defendants for a period of 45 days to permit the parties to finalize the settlement documentation. Plaintiffs expect to submit a motion for approval of the settlement in the related New York Supreme Court action within the next 45 days and will promptly inform the

¹ Settlement discussions are ongoing with all other remaining defendants in this action and the New York Supreme Court action, namely: Infinity Q Capital Management, LLC, Leonard Potter, Bonderman Family Limited Partnership LP, Infinity Q Volatility Alpha Fund, L.P., Infinity Q Volatility Alpha Offshore Fund, Ltd., Scott Lindell, Infinity Q Capital Management Equity, LLC, and James Velissaris.

Morgan, Lewis & Bockius LLP

101 Park Avenue
New York, NY 10178-0060
United States

T +1.212.309.6000
F +1.212.309.6001

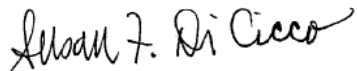
August 5, 2022

Page 2

Court once the motion for approval has been filed. In the event the Court prefers not to stay this action, the Settling Defendants stand ready to submit a pre-motion letter regarding the motion to dismiss that each would file if the case were not mooted by their settlement in principle with Lead Plaintiff.

We greatly appreciate the Court's consideration of this matter.

Respectfully submitted,

A handwritten signature in black ink that reads "Susan F. DiCicco". The signature is written in a cursive, flowing style.

Susan F. DiCicco

cc: All counsel of record via ECF in *In re Infinity Q Diversified Alpha Fund and Infinity Q Volatility Alpha Fund, L.P. Securities Litigation*